



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,549	10/18/2000	Stephen S. Jackson	2204/A61	3794

34845 7590 03/01/2005

STEUBING AND MCGUINNESS & MANARAS LLP
125 NAGOG PARK
ACTON, MA 01720

EXAMINER

DINH, MINH

ART UNIT	PAPER NUMBER
----------	--------------

2132

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/691,549	Applicant(s) JACKSON, STEPHEN S.	
	Examiner Minh Dinh	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-12 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 13-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2132

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed 09/16/2004. Claim 7 has been amended. The specification has been amended.

630
2/27/04
2. Applicant has submitted a replacement sheet to amend the specification;
however, only replacement paragraph(s) ^{are specified.} ~~is/are~~ See 37 CFR 1.121, *and* MPEP 714

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the current drawings are hand sketched. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Response to Arguments

4. Applicant's arguments, see page 8, 3rd paragraph, filed 09/16/2004, with respect to the rejection of claim 1 under 35 U.S.C 103(a) have been fully considered but they are not persuasive. Applicant argues that Stallings firewall is not used to protect an individual computer. However, Stallings discloses a common firewall configuration in which a firewall is used to protect an individual computer (p. 525).

5. Applicant's arguments, see page 10, 3rd paragraph, with respect to the rejection of claim 7 under 35 U.S.C 103(a) have been fully considered and are persuasive. The rejection of claim 7 has been withdrawn.

6. Applicant's arguments, see page 11, 2nd paragraph, with respect to the rejection(s) of claim(s) 19 under 35 U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, a discovery of new prior art has necessitated new grounds of rejection. The delay in citation of the newly discovered prior art is regretted.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 3-4, 6, 13-15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stallings ("Cryptography And Network Security") in view of Lehr et al. (6,643,566).

Regarding claim 1 and 13-14, Stallings discloses a firewall for use with a network (figures 16.1 a, 16.2 a). Stallings does not disclose that the firewall comprises an input

Art Unit: 2132

module that receives data addressed to a given computer system in the network, and a security module analyzing the data received by the input module to determine if the data can be forwarded to the given computer system. However, these features are deemed to be inherent to the Stallings firewall since the firewall is configured to filter packets going in both directions (page 520, last paragraph). The Stallings firewall would be inoperative if it did not comprise an input module and a security module. Stallings does not disclose that the network is a power integrated network and that the firewall comprises a power module receiving power from the power integrated network. Lehr discloses a power integrated network (fig. 2A) and power-over-LAN network devices having power modules receiving power from the power integrated network (fig. 2A). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Stallings firewall such that it is used in a power integrated network and it comprises a power module receiving power from the power integrated network, as taught by Lehr. The motivation for doing so would have been to both simplify and reduce the cost of network element installation and provide a means of supplying uninterrupted or backup power to critical network devices in the event of a power failure (col. 3, lines 13-18).

Regarding claims 3 and 15, Lehr further discloses that the power module includes a power converter that converts power received from the power integrated network into a power level that can be used by the network device (col. 11, lines 62-65; col. 12, lines 39-43).

Regarding claim 4, Stallings does not disclose that the firewall comprises an output module for forwarding the data to the given computer system. However, this feature is deemed to be inherent to the Stallings firewall since the firewall is configured to filter packets going in both directions (page 520, last paragraph). The Stallings firewall would be inoperative if it did not comprise an output module for forwarding the data to the given computer system.

Regarding claims 6 and 18, Lehr further discloses that the power integrated network includes two computer systems coupled by a cable that transmits both data and power (fig. 2A).

9. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stallings in view of Lehr as applied to claims 1 and 14 above, and further in view of "Siemens and PowerDsine enter strategic collaboration to deliver benefits promised by powered-Ethernet telephony concept". Stallings and Lehr do not disclose that the power integrated network implements principles of Power Ethernet. The "Siemens and PowerDsine" reference teaches a power integrated network implementing principles of Power Ethernet (page 1, last paragraph). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the firewall of Stallings and Lehr such that the power integrated network implements principles of Power Ethernet, as taught in the "Siemens and PowerDsine" reference, to reduce a corporation's installation and maintenance costs.

Art Unit: 2132

10. Claim 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stallings in view of Lehr as applied to claims 1 and 14 above, and further in view of Putzolu (6,578,076). Stallings and Lehr do not disclose that the firewall comprises a policy server interface coupled with the security module, the policy server interface communicating policy data with a policy server. Putzolu discloses a firewall comprise a policy server interface coupled with the security module, the policy server interface communicating policy data with a policy server (col. 3, lines 29-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the firewall of Stallings and Lehr such that it comprises a policy server interface coupled with the security module, the policy server interface communicating policy data with a policy server, as taught by Putzolu, so that the policy server is capable of managing a plurality of clients with potentially-diverse policy criteria (col. 3, lines 41-45).

11. Claims 19, 21-22 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chlan et al. (6,385,642) in view of Lehr.

Regarding claims 19 and 25, Chlan discloses a network coupled with a specific network, the network comprising: a plurality of computer systems (fig. 1, elements 20, 26, 30; col. 4, lines 11-14); a network firewall coupled between the network and the specific network (fig. 1, element 40); a local firewall coupled to a computer system, the local firewall preventing unauthorized access to the computer system (fig. 1, element 30; col. 4, lines 19-22). Chlan does not disclose that the network is a power integrated network and that the local firewall is powered by the power integrated network. Lehr

Art Unit: 2132

disclose a power integrated network and devices in the network are powered by the power integrated network (fig. 2A). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Chlan network such that it is a power integrated network and that the local firewall is powered by the power integrated network, as taught by Lehr. The motivation for doing so would have been to both simplify and reduce the cost of network element installation and provide a means of supplying uninterrupted or backup power to critical network devices in the event of a power failure (col. 3, lines 13-18).

Claim 21 is rejected on the same basis as claim 19.

Regarding claims 22 and 26, Lehr further discloses that the power integrated network includes two computers coupled by a cable that transmits both data and power (fig. 2A).

Regarding claims 24 and 27, Chlan further discloses that the specific network includes a public network (fig. 1, element 44).

12. Claims 20 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chlan in view of Lehr as applied to claims 19 and 25 above, and further in view of Putzolu. Chlan and Lehr do not disclose that the power integrated network comprises a policy server coupled with the local firewall. Putzolu discloses a policy server coupled with a firewall (col. 3, lines 29-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network of Chlan and Lehr such that it comprises a policy server coupled with the local firewall, as taught by Putzolu, so

Art Unit: 2132

that the policy server is capable of managing a plurality of clients with potentially-diverse policy criteria (col. 3, lines 41-45).

13. Claims 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chlan in view of Lehr as applied to claims 19 and 25, and further in view of "Siemens and PowerDsine". Chlan and Lehr do not disclose that the power integrated network implements principles of Power Ethernet. The "Siemens and PowerDsine" reference teaches a power integrated network implementing principles of Power Ethernet (page 1, last paragraph). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the firewall of Chlan and Lehr such that the power integrated network implements principles of Power Ethernet, as taught in the "Siemens and PowerDsine" reference, to reduce a corporation's installation and maintenance costs.

Allowable Subject Matter

14. Claims 7-12 are allowed.

15. The following is a statement of reasons for the indication of allowable subject matter. Claims 7-12 are directed to a cable used in a power integrated network, the cable comprises a firewall. The closest prior art, Fackler et al, disclose an intelligent cable that allows a host device to selectively access and communicate with an associated peripheral device; however, Fackler does not teach that the cable comprises

Art Unit: 2132

a firewall. The prior art, taken either singly or in combination, fails to anticipate or fairly suggest the limitations of applicant's independent claim, in such a manner that a rejection under 35 U.S.C 102 or 103 would be proper. The claimed invention is therefore considered to be in condition for allowance as being novel and nonobvious over prior art.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cheswick et al, (US H1944 H), discloses a firewall configured as an electronic dongle.

Okta, (5,668,419), discloses a reconfigurable connector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

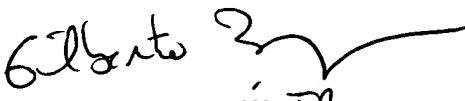
Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD

Minh Dinh
Examiner
Art Unit 2132

MD
2/22/2005


GILBERTO BARRÓN JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100